

REPORT TO TUTBURY PARISH COUNCIL

Housing Choice- East Staffordshire Borough Council Supplementary Planning Document Consultation. February/ March 2016

The consultation document refers to revisions of four Strategic Policies of the East Staffordshire Local Plan adopted as recently as October 2015 for the period 2012 to 2031.

The policies for consultation are SP 16- meeting housing needs
SP 17- affordable housing
SP 18- exception sites
SP 19- Gypsy and traveller sites

SP16 Meeting Housing Needs

This revised policy proposes “an appropriate mix of dwellings to best meet need according to a local housing needs survey”, or from other evidence.

Housing developments must include Affordable Housing in accordance with SP 17.

It is difficult to disagree with the broad aims of SP 16, the devil will as always be hidden in the detail and will rely on those market forces which drive the demand for new houses.

Exception Sites are more difficult to accept when set against the already high number of new dwellings in the local plan and when further set against protection of the countryside- if there is to be any.

References made to policies for older peoples dwellings or to self build plots are little more than wishful thinking and place no great burden on developers.

The housing mix charts do not refer to recent qualitative research. Percentages of whatever sorts of houses will be allowed are proportions that may not always fit the needs of people in a particular area or of the whole district. Housing need should have been known from the start rather than allow unspecified growth that fitted sites brought forward by developers, leaving the decision on what sort of homes should go where until now, or, perhaps, to some time in the future.

Small developments of 1 to 3 dwellings will not require a needs survey where the houses are no bigger than 1000 square feet internally.

Market Housing needs surveys will be provided by developers and evidence of need will be checked by ESBC who may also draw on existing surveys, from Neighbourhood Plans and from parish council consultation. Parish councils must, of course, be consulted on all planning matters, but how they are supposed to be able to validate needs surveys is unexplained. It is not clear if Neighbourhood Plans actually include needs surveys, a quick check locally suggests that they do not or if they do it is no more than a repeat of earlier reports.

Extra Care Housing and Retirement Housing are defined. Those policies seem to be reasonable.

SP 17 Affordable Housing

The aim of SP 17 is to provide more “Affordable Housing” for those in need. Small sites of less than 0.14 hectares are excluded, but those with a greater number will soon be expected to provide up to 40% of the development as Affordable Housing. This is a change from the former policy of “...amount consistent with local need”

In Tutbury the proposal is that 40% of any new site should be Affordable Housing. On Brownfield land in Burton or Uttoxeter it will be 25% whereas Greenfield developments in the same two towns will require 33%. All Strategic Villages and other areas are 40%.

This does not mean that the houses will eventually be built and in any event the balance of un-built houses can be “commuted” into £40 000 per plot. (The cash goes to ESBC).

The term Affordable Housing means provision for eligible households who are unable to buy a house or pay market rates for rented properties. There is usually a partner housing association and developers can submit evidence that a lower proportion of Affordable Housing is necessary, any evidence to support that claim is to be gathered at developer cost. Because the land transfers to a social or other housing provider ESBC has published land values to support the policy. In Tutbury such areas are valued at £240 000 to £360 000 per hectare. There are complicated rules about value and numbers, but as an example if 9 dwellings are proposed for Tutbury 40% must be “Affordable” so $9 \times 40\% = 3.6$ houses.

It is not possible to build 0.6 of a house so 3 would be required for need and $0.6 \times £40\,000$ would be the commuted sum.

One additional proposal is that the Affordable houses are indistinguishable in appearance from what ESBC calls “market housing”.

The ‘Affordable’ requirement was assessed in the original GVA Strategic Housing Market Assessment in 2013 (compiled on behalf of the borough council). The GVA report was amended in April 2014 and includes a report on the success of the Affordable Housing policy at that time. By ESBC admission (p206) there was no site specific appraisal to assess what level of such housing is viable. The results can be seen in the following list taken from page 207.

Pirelli	300dwellings	affordable secured	nil
JCB Pinfold Road	257		13
Branston Depot	483		48
Model Diary Farm	84		8
South of Branston	660		99
Beamhill/Outwoods	950		143
Guinevere Av.	100		15
Dove Way	56		nil
Efflinch Lane	130		20
Burton Road Tut.	224		31
Red House Farm	250		38
Branston Locks	1250		94
Forest Road	300		45

Out of 5044 approvals given at that time only 819 were Affordable (16%). Clearly the existing policy failed to deliver the number of Affordable houses expected, on some sites there are none at all.

Any improvement to the current policy must be judged by whether or not it meets the needs of people.

The new SP17 does not guarantee that and while housing need surveys are to be carried out by those with an interest in their outcome we may never know what the true level of need is or if it is being met.

There is evidence in the 2013 survey which shows local ability to buy houses. A couple would have to earn £48 571 to purchase a detached house costing £170 000 (the average cost) or they would have to earn £31 429 to buy a semi costing £110 000 at entry level.

Affordability is a measure of the cost of a house that those with median income can afford to buy. It is clearly an important issue and affects the lives of many people in search of a home. In East Staffordshire median income in 2014 was £27 500 while median house price was £137 000 (5 times income) and house prices are rising faster than incomes so it is a growing problem. The policy, as proposed, will not remedy the shortfall. Officers of the local authority will be negotiating with developers and if the past record is to be repeated there will be insufficient Affordable Houses to meet the needs of people or aims of the policy. A reliable measure of need is the most important missing factor and should not depend on private negotiations or developer surveys. Only an independent body using tested methods of conducting research can be considered reliable.

Affordable Housing forms part of Section 106 Agreements at the outline approval stage. There is an ESBC expected mix of house types shown in the consultation papers, whether that mix is relevant to actual need is uncertain and as the dynamic of price against ability to buy widens the gap (of ability to buy) the need surveys should be continuous.

The responsibility for housing people who can not house themselves belongs to central government. They do not want council houses to be built but prefer to subsidise the purchase of market houses. The process of attempting to provide for those in need by fixing the market is illogical, complicated and unfair to developers and those in need.

What makes it worse is the sale of council houses. Recent reports (Communities and Local Government Committee) show that four out of every ten homes sold through the 'right to buy' option are soon being rented out by private landlords. While everyone is entitled to aspire to home ownership it is unhelpful that so many former council houses quickly belong to private landlords and in doing so produce a further negative impact on the supply of Affordable Houses for those most in need.

Other ESBC policies propose growth in the non housing sector which they claim will produce thousands of new jobs. It is reasonable for the parish council to observe that should there be major commercial growth it will attract many people who do not have the means to buy a house or who may not be able to obtain a loan if work is transient.

SP 18 Exception Sites

Exception sites enable the development of Affordable housing not included elsewhere in the local plan and Traveller pitches to meet local needs in rural settlements...Most development should take place within settlement boundaries so such sites are called exceptions.

As before there must be a needs survey, but how that is to be conducted is not described nor (as travellers move around) how difficult it will be to survey such claimants and verify the figures.

This area of policy is controversial and these changes proposed since the public inquiry must represent a softening of the rules. The provision of both Affordable Housing and Traveller sites were dealt with at the local plan inquiry, we are not told what has changed since then.

No matter how it is written exception site approvals to develop traveller pitches will be not allowed for other East Staffordshire residents who might also wish to live in the countryside.

In Tutbury there is a site that could possibly be claimed as a traveller site if a traveller survey shows a need. This prospect would be alarming to most people. The parish council will have to form an opinion on exception sites that perhaps favours caution because the policy could so easily be abused.

SP 19 Gypsy and Traveller Sites.

For some reason not explained Gypsies, Travellers and Showpeople are grouped together. They are quite different, but the policy makes no allowance for that fact.

There are now eight requirements that must be met for need to be identified and so allow these dissimilar groups to claim the right of residence on an exception site. Wording in the final paragraph makes it sound as though the Council (ESBC) will be proactive in helping to meet that need.

At page 32 and 33 those seeking to set up such pitches will be able to claim 'need' such as:-
lives in a caravan but has nowhere to locate it
the caravan is overcrowded
someone over 21 has no pitch
they have an aversion to living in a house.

These are abbreviated reasons for the purpose of keeping this parish council report short, members will need to read full details for themselves (6.20 on page 33)

In 6.21 there are six further reasons how travellers can claim the 'need' to live at a rural exception site. They include being resident in ESBC; travel there frequently; work there; children go to school there; family in the area; previously lived there. These reasons do not feature in the earlier policy that went to public inquiry. The 2013 report identified no pitches within the borough, but promised to update the evidence base to allow for those living in normal houses and for travellers who do not live in the borough.

The parish council is entitled to ask why traveller sites need to be in primary rural locations when so many areas of land lie vacant in Burton and Uttoxeter, all of them close to amenities and readily monitored for conformity of usage. These changes represent positive discrimination in favour of travellers who will receive planning privileges denied to the population at large.

Because this is a sensitive issue with no explanation (in the consultation documents) as to why policy revisions are being proposed so soon after adoption of the local plan, the parish council may need further debate and conversation with ESBC officers before a consultation return can be made.

SP19 is a worrying policy that falls outside normal planning constraints. Its implementation will depend on officer integrity and can easily be interpreted wrongly. This is not how policies are supposed to work.

W.Crossley

Chairman of Tutbury Parish Council planning committee.

11th February 2016